



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2016

CORAM

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THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

Tr.C.M.P (MD) No.119 of 2016

and

CMP (MD) .No.2052 of 2016

Sri Poorna

... Petitioner

Vs.

Arumugam

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case in FCOP.No..1 of 2016 on the file of Family Court, Salem, and transfer the same to the file of Family Court, Triuchirapalli.

For Petitioner : Mr.G.S. Ashok Adhithyan

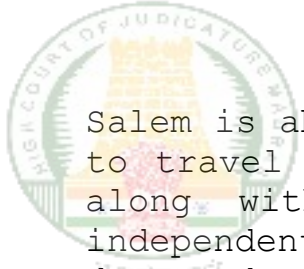
For Respondent : Mr. B. Thanga Aravindh

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in FCOP.No.1 of 2016 on the file of Family Court, Salem, and transfer the same to the file of Family Court, Triuchirapalli.

2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 06.02.2012. After marriage, both the petitioner and the respondent were living together in matrimonial home at Salem. From the date of marriage, the respondent and his family members treated the petitioner both mentally and physically and cruelly harassed her demanding additional dowry. A female child was born on 10.04.2013, in the wedlock. After the birth of the child, the respondent did not take the petitioner to matrimonial home. Subsequently, the respondent filed FCOP.No.1 of 2016, before the Family Court, Salem, for divorce.

3. Now, the petitioner is staying with her parents at Trichy along with minor child. Her father died on 18.02.2016 and her mother is aged person and suffering from old age problems and her brother is in abroad. Therefore, no one to accompany her from Trichy to Salem for each and every hearing, before the Family Court, Salem. Further, the distance between Thiruchirappalli and



Salem is about 150 Kms and it is very difficult for the petitioner to travel for each and every hearing to attend FCOP at Salem, along with minor child. The petitioner is not having any independent income and she is only depending on her mother for her day to day expenses, including the travel expenses.

4. In view of the bonafide reasons, the petitioner has filed the present petition to transfer FCOP.No..1 of 2016 from the file of Family Court, Salem, to the file of Family Court, Triuchirapalli.

5. The learned counsel appearing for the respondent submitted that the respondent has no objection to allow this petition and he has prayed for early disposal of the above said FCOP.

6. Heard the learned counsel appearing for the petitioner and the learned counsel for the respondent.

7. Recording the no objection made by the learned counsel for the respondent, the following order is passed:-

(i) FCOP.No.1 of 2016, pending on the file of Family Court, Salem is ordered to be withdrawn and transferred to the file of Family Court, Thiruchirappalli.

(ii) The learned Judge, Family Court, Salem is directed to transmit the entire records pertaining to the case in FCOP.No.1 of 2016, to the transferee Court, within a week from the date of receipt of a copy of this order, if the same is not yet disposed of.

(iii) The Registry is also directed to send back the papers that are pending before the Registry.

(iv) As and when the records received, the learned Judge, Family Court, Thiruchirappalli, is directed to re-number the FCOP and dispose of the same, as expeditiously as possible, in any event not later than six months from the date of receipt of records.

The Transfer CMP is disposed of With above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/



trp
To

1. The Judge, The Family Court, Salem.
2. The Judge, The Family Court, Triuchirapalli.

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+1CC to Mr.B.Thanga Aravindh, Advocate Sr.No.51919

GJM/SKS/RR/18.10.16-3p-4C

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